

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BRIAN LA BELLE, :
Plaintiff, : ORDER
: 19 Civ. 3800 (JPO) (GWG)
-v.-
: BARCLAYS CAPITAL INC., :
Defendant. :
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GABRIEL W. GORENSTEIN, United States Magistrate Judge

The parties have filed letters raising several different discovery disputes. See Docket ## 129-30. Having reviewed the letters, it is the Court's understanding that two of the disputes raised — namely, Barclays' production of phone logs and the provision of dates for the deposition of defendant's 30(b)(6) witness — are resolved or in the process of resolving. Accordingly, this letter addresses only the remaining disputes raised in the parties' letters.

ESI Deadlines

In light of the fact that certain production awaited court rulings, the Court will accept Barclays' proposed deadlines for producing the documents, which we measure from June 1, 2021 (that is, June 21 as to the first category and July 16 as to the second category). The Court believes that there is ample time to conduct depositions after that, even accounting for vacations. If not, the Court would grant a reasonable extension of the discovery period.

Witness Lists

Plaintiff has proposed that the Court compel the parties to "exchange a non-binding list of potential witnesses to help Plaintiff ascertain which witnesses to depose." Docket # 129 at 2. The Court declines to order such a process so far in advance of trial. To the extent it is "non-binding," as plaintiff suggests, such lists would have no useful purpose anyway.

Privileged Documents

Plaintiff challenges two documents withheld as privileged by Barclays, and Barclays has submitted both of these documents for in camera review. Having reviewed the documents, and having accepted the factual proffers in defendant's letter, the Court finds that they fall within the protection of the attorney-client privilege. Unlike prior documents reviewed in camera, the

documents at issue are directed specifically to Barclays' in-house counsel, Peggy Campbell, and give indications that they were sent to her at her direction.

SO ORDERED.

Dated: June 10, 2021
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge